

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:	§	Chapter 11
	§	
SPHERATURE INVESTMENTS LLC et al.	§	CASE NO. 20-42492
	§	
	§	
	§	
	§	
SPHERATURE INVESTMENTS LLC, et al. d/b/a World Ventures Holdings, LLC¹	§	
	§	
Plaintiff,	§	
	§	
v.	§	Adversary No. 21-04058
	§	
KENNETH E. HEAD	§	
	§	
Defendants.	§	

**DEFENDANT’S OBJECTIONS TO THE DECLARATIONS OF ERIC HAYNES
AND JUSTIN SPARKS AND MOTION TO STRIKE**

Kenneth E. Head, Defendant (“**Head**”), files these Objections to the Declarations of Eric Haynes and Justin Sparks and Motion to Strike (“**Objection**”) and, in support of same, would respectfully show as follows:

I. BACKGROUND

1. Debtors’ Application for Preliminary Injunction is set for hearing on March 26, 2021 at 10:00 a.m.

¹ The “**Debtors**” or “**WorldVentures**”) in the above-described jointly administered Chapter 11 bankruptcy cases (“**Cases**”) are Spherature Investments LLC (“**Spherature**”) EIN#5471, Rovia, LLC (“**Rovia**”) EIN#7705, WorldVentures Marketing Holdings, LLC (“**WV Marketing Holdings**”) EIN#3846, WorldVentures Marketplace, LLC (“**WV Marketplace**”) EIN#6264, WorldVentures Marketing, LLC (“**WV Marketing**”) EIN#3255, WorldVentures Services, LLC (“**WV Services**”) EIN#2220.

2. On March 24, 2021, Plaintiff/Debtors Spherature Investments LLC, et al. dba World Ventures Holdings, LLC filed the Declaration of Eric Haynes (“**Haynes Declaration**”) (**Dkt.053**), and the Declaration of Justin Sparks (“**Sparks Declaration**”) (**Dkt.053**), in support of their Emergency Application for a Temporary Restraining Order and Preliminary Injunction and Supporting Memorandum (“**Application**”) (**Dkt.002**).

3. Defendant Head objects to the testimony of Eric Haynes contained in the Haynes Declaration, and objects to the testimony of Justin Sparks contained in the Sparks Declaration, requests that the Court hear these Objections prior to ruling on Plaintiff’s Application, that the Court sustain these objections, and requests that the Court strike the following testimony.

II. OBJECTIONS TO HAYNES DECLARATION

4. Defendant objects to the second sentence of Paragraph 5 of the Haynes Declaration because it is not relevant and is inadmissible opinion testimony, especially considering that Debtors refuse to allow Haynes to testify as to the basis of such opinion.

5. Defendant Head objects to Paragraph 8 of the Haynes Declaration because the Limited Solicitation Agreement is the best evidence of the terms and conditions of that agreement.

6. Defendant Head objects to Paragraph 9 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

7. Defendant Head objects to Paragraph 10 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

8. Defendant Head objects to Paragraph 11 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

9. Defendant Head objects to Paragraph 12 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

10. Defendant Head objects to Paragraph 13 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

11. Defendant Head objects to Paragraph 14 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

12. Defendant Head objects to Paragraph 15 of the Haynes Declaration because it constitutes a legal opinion and the referenced email is not ambiguous such that the email is the best evidence of the terms of that document.

13. Defendant Head objects to Paragraph 16 of the Haynes Declaration because the Employment Agreement is the best evidence the terms and conditions of that agreement.

14. Defendant Head objects to Paragraph 17 of the Haynes Declaration because it is not relevant to any issue in this matter, and the Limited Solicitation Agreement is the best evidence the terms and conditions of that agreement.

15. Defendant Head objects to the first sentence of Paragraph 18 of the Haynes Declaration because it is not based on personal knowledge or constitutes hearsay. Defendant Head

objects to the second sentence of Paragraph 18 of the Haynes Declaration because the Limited Solicitation Agreement is the best evidence of the terms and conditions of that agreement.

III. OBJECTIONS TO HAYNES DECLARATION

16. Defendant objects to the fourth sentence of Paragraph 9 of the Sparks Declaration because it constitutes a legal conclusion.

17. Defendant objects to the fourth sentence of Paragraph 10 of the Sparks Declaration because it is not based on personal knowledge and is speculative. Defendant objects to the fifth sentence of Paragraph 10 of the Sparks Declaration because it constitutes a legal conclusion.

18. Defendant objects to the first and second sentences of Paragraph 12 of the Sparks Declaration because it is not relevant, not based on personal knowledge and constitutes hearsay.

19. Defendant objects to the first and fifth sentences of Paragraph 13 of the Sparks Declaration because it constitutes a legal conclusion.

20. Defendant objects to the fourth sentence of Paragraph 14 of the Sparks Declaration because it is not based on personal knowledge and is speculative.

21. Defendant objects to the eighth and eleventh sentences of Paragraph 14 of the Sparks Declaration because it constitutes a legal conclusion.

IV. PRAYER

WHEREFORE, PREMISES CONSIDERED, Kenneth E. Head respectfully requests that the Court take notice of his Objections to the Declarations of Eric Haynes and Justin Sparks, that the Court sustain such Objections and strike such testimony, and for such other and further relief as the Defendant may show himself to be justly entitled.

Dated: March 25, 2021

Respectfully submitted,

SINGER & LEVICK, P.C.

By: /s/ Todd A. Hoodenpyle
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ATTORNEYS FOR DEFENDANT
KENNETH E. HEAD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been electronically mailed to the parties that are registered or otherwise entitled to receive electronic notices in this case pursuant to the Electronic Filing Procedures in this District, and upon the following party via electronic mail, on this, the 25th day of March, 2021.

Via Email: slockhart@foley.com

Steven C. Lockhart
Foley & Lardner LLP
2021 McKinney Avenue, Suite 1600
Dallas, Texas 75201

/s/ Todd A. Hoodenpyle
Todd A. Hoodenpyle

CERTIFICATE OF CONFERENCE

I hereby certify that, on this 25th day of March, 2021, I conferred with Steven Lockhart, counsel for Debtors, regarding the objections and motion to strike, and he indicated that due to the hearing preparations, he was unable to review each of the objections to each of the paragraphs and therefore opposes the relief requested.

/s/ Todd A. Hoodenpyle
Todd A. Hoodenpyle